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January 2, 2019

Hon. Leo T. Sorokin
United States District Judge
John J. Moakley Courthouse
1 Courthouse Way
Boston, MA 02210

VIA ECF

Re: *Williams et al. v. DeVos*, Civil Case No. 16-11949

Judge Sorokin,

I represent Plaintiffs Darnell Williams and Yessenia Taveras in the above-captioned matter, and write in response to the report (“Status Report”) filed by Defendant, ECF No. 101, on December 20, 2018.

Over three years ago, Attorney General Maura Healey made a submission to the Defendant, the United States Secretary of Education, asserting that each and every individual who borrowed a federal student loan to attend a Corinthian-operated school in the Commonwealth is entitled to complete loan cancellation. This action “invoked the administrative remedy of Education’s review process such that Education was required to adjudicate the request[.]” Order on Motions for Judgment (“Order”), ECF No. 99 at 20 (Oct. 24, 2018). Per this Court’s declaration, the Secretary must “render a decision on the merits of Williams and Taveras’s borrower defenses,” *i.e.* “the borrower defense asserted by Attorney General Healey’s letter...on behalf of Williams and Taveras.” Order at 30. The Court remanded this case to the Secretary for such determination, and retained jurisdiction “in the event of an appeal from or challenge to the administrative decision ordered” by the Court. *Id.*

In addition to the above, the Court clearly and unambiguously required the Secretary “to report on the status and timing of her decision in 60 days[.]” *Id.* Despite the Secretary’s filing, the status and timing of the Secretary’s adjudication of the merits of Plaintiffs’ borrower defenses remains entirely unclear. With respect to the Secretary’s demand that Williams fill out and submit an individual borrower defense application, Status Report Exhibit A at 2, ECF No. 101-1, this too is at odds with the Court’s determination that the Attorney General’s submission “invoked a borrower defense proceeding on behalf of the people listed on Exhibit 4, including Williams and Taveras.” Order at 29.

Plaintiffs respectfully request that the Court schedule an in-person status conference, in order to allow the Parties, including a representative of *amicus curiae* the Commonwealth of Massachusetts, to discuss an appropriate path forward with the Court.

Sincerely,

A handwritten signature in black ink, appearing to read "Eileen", with a stylized, flowing script.

Eileen M. Connor
Legal Services Center
Harvard Law School
Attorneys for the Plaintiffs

CERTIFICATE OF SERVICE

I, Eileen M. Connor, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants by First Class Mail.

/s Eileen M. Connor
Eileen M. Connor
Attorney for Plaintiffs

Dated: January 2, 2019